

ECONOMIC DEVELOPMENT AUTHORITY[261]

Adopted and Filed

Rule making related to regional sports authority districts

The Economic Development Authority hereby amends Chapter 38, “Regional Sports Authority Districts,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 15.106A.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 15E.321.

Purpose and Summary

The first amendment changes a rule regarding the composition of the regional sports authority district governing boards so that the rule now conforms to the statute. The second amendment addresses the scoring criteria for applications. The current rules require the use of marketing data that the Iowa Tourism Office no longer collects. The amendment sets forth a new formula that incorporates current and useful marketing data, to be provided to the applicant by the Iowa Tourism Office.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on March 27, 2019, as **ARC 4354C**. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Economic Development Authority Board on May 17, 2019.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Authority for a waiver of the discretionary provisions, if any, pursuant to 261—Chapter 199.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on July 24, 2019.

The following rule-making actions are adopted:

ITEM 1. Amend paragraph **38.3(1)“b”** as follows:

b. The board shall consist of seven members named by the applicant, of whom at least ~~one member~~ three members shall be a city council ~~member~~ members of ~~a city~~ any cities located in the proposed district.

ITEM 2. Amend paragraph **38.4(1)“a”** as follows:

a. Economic impact: 30 points. The authority will consider the amount of economic impact represented by the proposed nonprofessional sporting events and will view favorably events that have a greater economic impact. Economic impact will be determined ~~based on the information required under subrule 38.3(2), and the authority will use that information in combination with the average daily spending data from the Iowa tourism office’s most recent marketing follow-up survey to calculate the estimated economic impact of the nonprofessional sporting events proposed in the application by using the following calculation: Applicants will estimate the number of hotel room nights generated by each proposed nonprofessional sporting event and multiply the number of estimated hotel room nights by the average daily room rate for Iowa hotels. The average daily room rate will be provided by the Iowa tourism office based on information obtained from a hotel market data service.~~ Intentionally inflated estimates of attendance or a history of providing inaccurate estimates will negatively affect the scoring of an application and may result in noncertification of a district.

[Filed 5/22/19, effective 7/24/19]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 6/19/19.